HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.R. No.878 of 2007
Date of decision : 27.02.2007

Mrs.Neelam Sharma and others .....Petitioners

versus

Mrs.Meneka Kalia and others ....Respondents

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA.

Present : Mr.Arun Bansal, Advocate for the petitioners.
Mr.K.S.Rekhi, Advocate for the respondents.

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ORDER

HEMANT GUPTA, J.

The challenge in the present revision petition is to the order passed by the Courts below whereby an application filed by the plaintiff-petitioners for grant of ad-interim injunction restraining the defendants from alienating the suit property, was partly declined.

The dispute between the parties in the suit is with regard to estate of Ram Piari wife of late Sh.K.C.Joshi. The plaintiffs claim the estate of Ram Piari by way of normal succession, whereas defendants are claiming right on the basis of a Will and a Gift Deed. Any alienation effected by the respondents is subject to the rights of the plaintiffs. As per the doctrine of lis pendens, the purchaser cannot have better title than the defendants.

I do not find any illegality or irregularity in the order passed by the learned Courts below, which may warrant interference of this Court in exercise of its revisional jurisdiction.

Dismissed.

(HEMANT GUPTA)
JUDGE

February 27, 2007
**mohinder*